

## Message Text

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PAGE 01 RABAT 05575 01 OF 03 121144Z  
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NEA ONLY FOR NEA/AFN

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TAGS: SHUM MO  
SUBJECT: HUMAN RIGHTS DRAFT

DRAFT HUMAN RIGHTS REPORT FOLLOWS. PLEASE DO NOT ATTRIBUTE TO  
EMBASSY AS THIS WOULD UNNECESSARILY RAISE LEVEL OF GOM SENSITIVITY.  
REPORT CAN BE DECLASSIFIED WHEN IT BECOMES A DEPARTMENT DRAFT AFTER  
CONVERSION FROM CABLE FORM

### HUMAN RIGHTS REPORT FOR MOROCCO

MOROCCO IS A CONSTITUTIONAL MONARCHY RULED BY KING HASSAN II, WHO  
ASSUMED THE THRONE IN 1961, SUCCEEDING HIS FATHER. DEMOCRATIC INSTI-  
TUTIONS WERE STRENGTHENED FURTHER IN 1978 AS THE PARLIAMENT, AFTER  
ITS FIRST FULL YEAR IN EXISTENCE, BEGAN TO TAKE ITS PLACE IN THE  
DAILY LIFE OF THE COUNTRY. THE PARLIAMENT IS MAKING ITS OWN CONTRI-  
BUTION TO HUMAN RIGHTS IN MOROCCO. IN DECEMBER 1977, IT PASSED A  
UNANIMOUS RESOLUTION CALLING ON THE GOM TO RELEASE ALL POLITICAL  
PRISONERS.

THE MOROCCAN CITIZEN ENJOYS CONSIDERABLE LIBERTY AND FREEDOM OF  
EXPRESSION BY AFRICAN AND ARAB STANDARDS. SOME NON-GOVERNMENTAL  
GROUPS -- BOTH INTERNATIONAL AND INTERNAL -- CONTINUE TO FAULT  
MOROCCO ON CERTAIN ASPECTS OF ITS ATTENTIVENESS TO HUMAN RIGHTS,  
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PAGE 02 RABAT 05575 01 OF 03 121144Z

BUT TO THE BEST OF OUR KNOWLEDGE NONE HAS ACCUSED MOROCCO OF RE-  
GRESSION. IN FACT, THERE HAS BEEN CONTINUED MODEST PROGRESS TO FOLLOW  
UP THE NUMEROUS POSITIVE ACTS UNDERTAKEN BY THE GOVERNMENT OF  
MOROCCO IN 1977.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

A. TORTURE

AMNESTY INTERNATIONAL NETHERLANDS BRANCH WROTE ON APRIL 28 THAT IT BELIEVED TORTURE WAS ENDORSED BY AUTHORITIES THAT IT HAD INFORMATION -- WHICH IT DID NOT REVEAL -- TO SUPPORT THE CHARGE. IT ALSO ALLEGED THAT TORTURE WAS NOT CONFINED TO POLITICAL PRISONERS.

WE BELIEVE THAT SERIOUS ABUSES PROBABLY DID OCCUR DURING THE DOMESTIC UNREST OF THE EARLY 1970'S. OUR ASSESSMENT IS THAT SUCH ABUSES HAVE SUBSEQUENTLY BEEN REDUCED IN FREQUENCY, AND THAT THE PRINCIPAL MALPRACTICES THAT CONTINUE ARE HARSH INTERROGATION METHODS RESORTED TO FROM TIME TO TIME BY LOWER-LEVEL LAW ENFORCEMENT AUTHORITIES. WE DO NOT BELIEVE THESE MALPRACTICES ARE CONDONED BY MOROCCAN GOVERNMENT LEADERS. IN ONE INSTANCE, DURING THE JUNE 1977 PARLIAMENTARY ELECTION CAMPAIGN, A SENIOR POLICE OFFICIAL OF A MAJOR CITY WAS RELIEVED OF HIS DUTIES FOLLOWING ALLEGATIONS THAT HE HAD BEATEN AN OPPOSITION PARTY CAMPAIGN WORKER.

B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

PRISONS ARE OLD AND OVERCROWDED AND ALTHOUGH THE GOVERNMENT IS SEEKING TO IMPROVE THEM, AVAILABLE FUNDS ARE INSUFFICIENT. FOLLOWING A SERIES OF PUBLIC HUNGER STRIKES BY THE PRISONERS, THE GOVERNMENT HAS FORMED ON TWO OCCASIONS AD HOC COMMITTEES OF INQUIRY TO LOOK INTO COMPLAINTS AND ACT AS GO-BETWEENS. THESE COMMITTEES, ONE OF WHICH INCLUDED OPPOSITION PARLIAMENTARIANS LIMITED OFFICIAL USE

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PAGE 03 RABAT 05575 01 OF 03 121144Z

AND NON-GOVERNMENTAL DOCTORS AND LAWYERS, HAVE SUCCEEDED IN ENDING HUNGER STRIKES ON AT LEAST THREE OCCASIONS.

IN 1973-74 APPROXIMATELY 30 PERSONS WERE TRIED AND EXECUTED FOR HIGH TREASON; NO PERSONS HAVE BEEN EXECUTED FOR CRIMES AGAINST THE STATE SINCE 1974.

THE GOVERNMENT DOES NOT RESORT TO EXILE AS A PUNISHMENT, BUT SOME POLITICAL DISSIDENTS ARE IN SELF-IMPOSED EXILE. IN THE SUMMER OF 1978, THE GOM ALLOWED SEVERAL PROMINENT EXILES -- AT LEAST ONE OF WHOM HAD BEEN CONDEMNED TO DEATH IN ABSENTIA -- TO RETURN TO THE COUNTRY WITHOUT IMPRISONMENT. OTHERS WITH SIMILAR BACKGROUNDS REPORTEDLY MAY ALSO RETURN SO

THE BRITISH ANTI-SLAVERY SOCIETY PUBLISHED IN MAY 1978 A REPORT CRITICAL OF THE EMPLOYMENT OF CHILDREN IN CONTRAVENTION OF MOROCCAN LAW IN MOROCCO'S ECONOMIC SECTOR, PARTICULARLY IN THE RUG INDUSTRY. ELEMENTS OF THE OPPOSITION PRESS HAVE NOTED THE REPORT.

C. ARBITRARY ARREST OR IMPRISONMENT

AMNESTY INTERNATIONAL NETHERLANDS BRANCH WROTE ON APRIL 28 THAT IT POSSESSED EVIDENCE THAT NATIONAL POLICE MAKES ARRESTS WITHOUT PROPER LEGAL PROCEDURE AND CHARGED THAT MANY "PRISONERS OF OPINION" REMAIN IN MOROCCO. SINCE NOVEMBER 1977, THREE GROUPS OF PERSONS WHO MIGHT BE CONSIDERED POLITICAL PRISONERS HAVE BEEN RELEASED.

UNTIL THE 1976-77 CASABLANCA TRIALS, MANY OF THE PRISONERS IMPLICATED IN THE 1973 DISTURBANCES HAVE BEEN HELD FOR PROLONGED PERIODS, SOME THROUGHOUT THE INTERVENING YEARS.

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PAGE 01 RABAT 05575 02 OF 03 121208Z  
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LIMITED OFFICIAL USE SECTION 2 OF 3 RABAT 5575

IN THE SPRING OF 1977, DURING THE PARLIAMENTARY ELECTION CAMPAIGN, OVER ONE HUNDRED LARGELY LYCEE-AGE MOROCCANS WERE ARRESTED ON CHARGES OF TAKING PART IN LEFTIST CLANDESTINE AND SUBVERSIVE ACTIVITIES. NONE HAS BEEN TRIED. TWENTY WERE RELEASED IN EARLY DECEMBER 1977. ANOTHER 18 WERE PROVISIONALLY RELEASED IN SEPT. 1978.

THIRTY-EIGHT PREVIOUSLY SENTENCED OFFENDERS, INCLUDING SOME PROMINENT POLITICAL PRISONERS, WERE RELEASED IN NOVEMBER 1977 AS A RESULT OF ONE OF MOROCCO'S PERIODIC AMNESTIES.

#### D. DENIAL OF FAIR PUBLIC TRIAL

SOME PERSONS CAUGHT IN THE ACT OR DIRECTLY IMPLICATED IN THE 1971 AND 1972 ATTEMPTS AGAINST THE LIFE OF THE KING WERE SUMMARILY EXECUTED. AN UNDETERMINED NUMBER OF PERSONS DETAINED AFTER THESE INCIDENTS ARE STILL BEING HELD INCOMMUNICADO. SOME WERE TRIED IN MILITARY COURTS; OTHERS HAVE NEVER BEEN TRIED.

WITH THE EXCEPTION OF THOSE ARRESTED IN JUNE 1977, PERSONS DETAINED FOR ANTI-GOVERNMENT ACTIVITIES SINCE 1972 HAVE BEEN TRIED IN OPEN COURT. A REPRESENTATIVE OF AMNESTY INTERNATIONAL WHO ATTENDED THE LATE 1976 TRIALS EXPRESSED HIS SATISFACTION WITH

THE CONDUCT OF THE COURT. ON THE OTHER HAND, AN AMNESTY INTERNATIONAL REPORT ALLEGED THAT AT THE 1977 TRIALS THE DEFENDANTS' RIGHT TO TESTIFY, TO BE INFORMED OF THE CHARGES AGAINST THEM, AND TO RECEIVE UNIMPEDED REPRESENTATION BY COUNSEL WERE NOT LIMITED OFFICIAL USE

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PAGE 02 RABAT 05575 02 OF 03 121208Z

RESPECTED. THE MOROCCAN MINISTRY OF JUSTICE RESPONDED TO THE REPORT IN PRESS RELEASE ON NOVEMBER 21, 1977, POINTING OUT THAT RESTRICTIONS WERE NECESSARY BECAUSE BOTHNDANTS AND LAWYERS HAD VIOLATED COURT PROCEDURE BY ATTEMPTING TO CREATE DISORDER AND CONFUSION.

#### E. INVASION OF THE HOME

THERE ARE NO KNOWN INCIDENTS OF INTRUSIONS INTO PRIVATE HOMES BY OFFICIALS WITHOUT OBSERVANCE OF LEGAL SAFEGUARDS PROTECTING INDIVIDUALS FROM ARBITRARY SEARCHES.

#### 2. GOVERNMENT POLICIES RELATING TO THE FULFILLMENT OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND EDUCATION

THE GOM ADDRESSES SOCIAL AND ECONOMIC PROBLEMS THROUGH PROGRAMS SUCH AS REDISTRIBUTION OF STATE-OWNED LAND, SUBSIDIES AND LIBERAL CREDIT FOR FARMERS, SOCIAL SERVICES AND LOW COST HOUSING. THE 1978 BUDGET ALLOCATED 28 PERCENT OF FUNDS TO EDUCATION, 5 PERCENT TO HEALTH PROGRAMS, 5 PERCENT TO AGRICULTURE, AND .6 PERCENT TO HOUSING AND URBAN DEVELOPMENT. THESE ALLOCATIONS ARE LIKELY TO BE CONTINUED IN THE FORTHCOMING THREE-YEAR PLAN IN ROUGHLY EXISTING PROPORTIONS, ALTHOUGH NEWLY LAUNCHED AUSTERITY MEASURES MAY REDUCE THE REAL AMOUNTS. THE GOM HAS NOT MET ITS DEVELOPMENT GOALS, ESPECIALLY THOSE INVOLVING THE RURAL POOR, BUT MANY OF THE PROBLEMS ARE INHERENT IN A DEVELOPING DUAL ECONOMY AND DO NOT REFLECT NEGATIVE GOVERNMENT POLICIES TOWARD ECONOMIC HUMAN RIGHTS. MOROCCO'S DEVELOPMENT RESOURCE ALLOCATION AND RESOURCE STRATEGIES DO NOT DISCRIMINATE PER SE AGAINST THE POOR, BUT THEIR CLEAR EMPHASIS ON CAPITAL INTENSIVE PROGRAMS MEANS THEY ARE GENERALLY OF LITTLE SHORT-RUN BENEFIT FOR MOROCCO'S POOREST CITIZENS. AN IMPORTANT EXCEPTION IS MOROCCO'S MAJOR IRRIGATION NETWORK PROGRAM. IN THE EDUCATION FIELD, LIMITED OFFICIAL USE

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PAGE 03 RABAT 05575 02 OF 03 121208Z

CONTINUOUS EFFORTS HAVE BEEN MADE TO COMBAT ILLITERACY, BUT WITH LITTLE SUCCESS IN PERCENTAGE TERMS (SOME 75 PERCENT ILLITERATE) DUE IN PART TO THE HIGH GROWTH RATE.

WHILE MOROCCO HAS A VERY COMPLEX SYSTEM OF SALES TAXES ON

PRODUCTS, SALES AND SERVICES, THE OVERALL TAX SYSTEM IS NOT REGRESSIVE. THE INCOMESYSTEM EXEMPTS INDIVIDUALS WITH INCOMES BELOW 20,000 DIRHAMS (APPROX. \$5000. ANNUAL PER CAPITA INCOME IS \$520), AND THE RATES INCREASE PROGRESSIVELY TO 36 PERCENT AT THE HIGHEST INCOME LEVELS. HOUSING AND REAL ESTATE TAXES ALSO IMPACT HEAVILY ON THE HIGHER INCOME BRACKETS.

ALTHOUGH SOME CORRUPTION EXISTS, THERE APPEARS TO BE NO WIDE-SPREAD PATTERN OF CORRUPTION IN THE GOVERNMENT, AND SEVERAL INSTITUTIONALIZED FORCES OPERATE AS A BRAKE. MOROCCO'S RECORD IN THIS RESPECT IS THUS CONSIDERABLY BETTER THAN MOST THIRD WORLD COUNTRIES. IN SOME RARE CASES -- INCLUDING ONE IN 1977 INVOLVING A NUMBER OF OFFICIALS -- THE GOVERNMENT HAS MOVED AGAINST BOTH LOW AND RELATIVELY HIGH RANKING PERSONS FOR BLATANT MISUSE OF THEIR AUTHORITY. THE LOCAL AND NATIONAL REPRESENTATIVES ELECTED IN 1976-77 HAVE PROVED TO BE A PARTICULARLY POSITIVE FORCE IN REDUCING THE INCIDENCE OF CORRUPTION AMONG OFFICIALS. THE OPPOSITION PARTY PRESS FREQUENTLY MAKES PUBLIC ISSUE OF INDIVIDUAL CASES OF SUSPECT FINANCIAL GAIN.

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PAGE 01 RABAT 05575 03 OF 03 121155Z  
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LIMITED OFFICIAL USE SECTION 3 OF 3 RABAT 5575

### 3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING

A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION AND ASSEMBLY. THESE FREEDOMS ARE ALL GUARANTEED UNDER THE 1972 CONSTITUTION. CRITICISM IN THE MEDIA OF THE ADMINISTRATION, SOCIAL CONDITIONS, AND ALL INSTITUTIONS EXCEPT THE MONARCHY IS COMMONPLACE. THERE IS NO INTERNAL PRESS CENSORSHIP, ALTHOUGH FOREIGN PERIODICALS AND BOOKS ARE SCREENED BY THE CENSOR AND IN SOME CASES FORBIDDEN. THE GOVERNMENT TOLERATES WIDE-RANGING POLITICAL AND RELIGIOUS TENDENCIES. DURING THE 1976-77 ELECTORAL CAMPAIGN ALL PARTIES WERE ALLOWED TO SPEAK AND TO HOLD MEETINGS ALTHOUGH HARASSMENT

OF THE OPPOSITION DID OCCUR, ESPECIALLY IN THE CONSERVATIVE COUNTRYSIDE. MOROCCO HAS A UNIQUE HISTORY OF RELIGIOUS TOLERANCE. ALTHOUGH LARGE NUMBERS OF MOROCCAN JEWS VOLUNTARILY LEFT THE COUNTRY AFTER THE 1967 AND 1973 ARAB-ISRAELI WARS, ABOUT 18,000 REMAIN IN THE COUNTRY AND THE GOVERNMENT IS ACTIVELY URGING OTHERS TO RETURN.

THE CONSTITUTION GUARANTEES CITIZENS THE RIGHT TO JOIN TRADE UNIONS AND THE UNIONS THE RIGHT TO STRIKE. THE CONFEDERATION OF TRADE UNIONS (UMT) IS ONE OF THE OLDEST LABOR MOVEMENTS IN AFRICA. IN ADDITION, THE TWO LARGEST OPPOSITION PARTIES ARE INVOLVED IN LABOR ACTIVITY IN COMPETITION WITH THE UMT. ALL OF THESE GROUPS HAVE CONDUCTED A NUMBER OF STRIKES IN 1978 WITH VIRTUALLY NO INTERFERENCE FROM AUTHORITIES.

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PAGE 02 RABAT 05575 03 OF 03 121155Z

DISCRIMINATION AGAINST WOMEN IS PROHIBITED BY LAW. FRENCH EDUCATIONAL TRADITIONS HAVE OPENED SOME DOORS TO MOROCCAN WOMEN. NEVERTHELESS PARTIAL LIBERALIZATION IS LIMITED FOR THE MOST PART TO URBAN AREAS, WHILE THE ROLE OF WOMEN IN THE PREDOMINANTLY RURAL AND TRADITIONAL MOSLEM ENVIRONMENT REMAINS RESTRICTED AS IT HAS BEEN OVER THE CENTURIES. NO WOMAN HAS EVER HELD A CABINET POSITION IN MOROCCO, NOR IS THERE ANY WOMAN IN THE 264-PERSON PARLIAMENT.

PARLIAMENT RECENTLY PASSED LEGISLATION PROTECTING WOMEN'S RIGHTS AFTER DIVORCE. THE GOVERNMENT, WITH AID HELPING, HAS ALSO ACCELERATED PROJECTS IN THE LABOR SECTOR AND IN FAMILY PLANNING DESIGNED TO IMPROVE THE LOT OF WOMEN. SOME 36 PERCENT OF CHILDREN IN PRIMARY SCHOOLS ARE FEMALE, A SLIGHT IMPROVEMENT OVER THE 32 PERCENT OF 1968

B. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION

FREEDOM OF MOVEMENT IS UNRESTRICTED THROUGHOUT MOROCCO. FOREIGN TRAVEL FOR POLITICAL REASONS WAS SOMETIMES RESTRICTED IN YEARS PAST; IT IS NOT NOW RESTRICTED TO OUR KNOWLEDGE, ALTHOUGH PERSONS WITHOUT MEANS AND/OR INFLUENCE FREQUENTLY ENCOUNTER DELAYS IN OBTAINING PASSPORTS. ALSO, THE DIFFICULTY IN OBTAINING FOREIGN CURRENCY IMPOSES SIGNIFICANT PRACTICAL LIMITATIONS ON WOULD-BE VOYAGERS. THERE ARE NO KNOWN FORMAL RESTRICTIONS ON EMIGRATION.

C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

MOROCCO'S POLITICAL ENVIRONMENT PROVIDES CONSIDERABLE OPPORTUNITY FOR PARTICIPATION IN THE REMARKABLY DIVERSE AND WELL ORGANIZED GROUPS IN THE POLITICAL SPECTRUM. SUFFRAGE  
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PAGE 03 RABAT 05575 03 OF 03 121155Z

IS UNIVERSAL AND INCLUDES WOMEN. IN ADDITION TO THE POLITICAL INDEPENDENTS, WHO CONSTITUTE A MAJORITY, THERE ARE FOUR POLITICAL PARTIES REPRESENTED IN THE CURRENT PARLIAMENT, INCLUDING A LEFT-SOCIALIST PARTY AND A COMUNIST PARTY. THE NON-GOVERNMENT OPPOSITION VIGOROUSLY CRITICIZES NUMEROUS ASPECTS OF THE GOVERNMENT'S POLICIES IN THE PARLIAMENTARY FORUM, AS WELL AS IN ITS PRESS.

4. GOVERNMENT ATTITUDE AND RECORD REGA INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS.

SINCE 1973, THERE HAVE BEEN NO KNOWN INCIDENTS OF MOROCCAN REFUSAL TO PERMIT OUTSIDE GROUPS TO ENTER THE COUNTRY TO INVESTIGATE ALLEGED HUMAN RIGHTS VIOLATIONS. INDEED, AMNESTY INTERNATIONAL AND OTHER CIVIL AND HUMAN RIGHTS GROUPS HAVE BEEN PERMITTED TO SEND OBSERVERS TO TRIALS, AND THESE OBSERVERS HAVE BEEN RECEIVED BY OFFICIALS OF THE MOROCCAN GOVERNMENT. IN JANUARY 1978, THE MINISTER OF JUSTICE PUBLICLY INVITED AMNESTY INTERNATIONAL OR ANY OTHER HUMANITARIAN ORGANIZATION TO SEND IMPARTIAL OBSERVERS TO VISIT MOROCCAN COURTS AND PRISONS. ANDERSON

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